IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 371 OF 2005

Ganesh Bhanudas Babar ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri Surel S. Shah for the Applicant.
Shri K.V. Saste, APP for Respondent - State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 07,2005.

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. It is not in dispute that except offence under section 436 of IPC rest of the offences are bailable offences. It is also not in dispute that all other accused have been granted anticipatory bail. The applicant is denied anticipatory bail merely because there is direct evidence to indicate his complicity in the commission of the offence under section 436 of the IPC. Learned APP on instructions fairly accepts that the investigation is substantially completed and custodial interrogation of the applicant may not be necessary. If it is so, as all other accused are on

anticipatory bail, I see no reason to deny the relief of anticipatory bail to the present applicant. Hence, the applicant is granted anticipatory bail on the following conditions.

(a) The Applicant is granted anticipatory bail in connection with C.R.No. 138/2004, registered with Karmala Police Station, Dist. Solapur on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty-five thousand only) with two local sureties in the like amount.

(b) The Applicant shall abide by the conditions provided for under section 438(2) of the Cr.P.C. as application to the State of Maharashtra, as condition for anticipatory bail.

3. Ordered accordingly.

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